

Hiss Asks New Trial; Offers 'Proof' Forgery By Machine Is Possible

NEW YORK, Jan. 25.—Alger Hiss is seeking a retrial based on what he says is new evidence which can prove he told the truth when he said he did not give American secrets to a prewar Russian spy ring.

The one-time top State Department aide appealed yesterday for a third trial. The jury in his first trial disagreed. The second trial resulted in a five-year sentence.

Hiss said he had new facts to back up his defense that he was convicted partly by typewriter forgery.

And he attacked key testimony of Whittaker Chambers, self-styled courier for the spy ring, and a second trial surprise witness who identified herself as Chambers' former maid.

Hiss served 10 months. The new plea came 10 months after Hiss, a right-hand man for the late President Roosevelt at Yalta, began serving his term. The motion will be argued February 4.

At both trials the Government contended Hiss used a battered old typewriter to copy State Department documents and gave copies to Chambers.

The typewriter was a key exhibit at both trials.

It was generally accepted there—as elsewhere—that each typewriter had unmistakable traits of its own.

But Hiss' motion said engineers had built him a special typewriter that would type just like the old one.

"Hampered" by FBI.

He said this indicated Chambers, his principal accuser, could somehow have forged the documents.

Furthermore, his petition said, the old typewriter used at the trials might even have been "a plant" and not the one Hiss once used.

His lawyer, Chester T. Lane, accused the Federal Bureau of Investigation of hampering his efforts, and said:

"We search for records—the FBI has them.

"We ask questions—the FBI will not let people talk to us.

Surveillance Feared.

"We request access to ordinary documents in corporate files—corporate officials fear the wrath of their stockholders. . . . And even worse, honorable and patriotic citizens who have wanted to help have been deterred by the appearance—whether or not it is real—of official surveillance and wire-tapping."

The motion also contended:

1. Lee Pressman, former attorney for the Congress of Industrial Organizations, contradicted Chambers' trial testimony by telling the House Un-American Activities Committee that Hiss was not a fellow member of a Communist cell.

Chambers testified Hiss and Pressman were in the same cell in 1934. Later, Pressman told the committee that he had been a member—but not Hiss.

Contradictions Offered.

2. Proof could be produced, Chambers broke with the Communist Party and went "into hiding" in March, 1938, although he testified he received secret documents from Hiss as late as April 1, 1938.

3. Evidence is available which contradicts the testimony of Edith Murray, a servant, who said she saw Hiss at Chambers' home in Baltimore 14 years earlier.

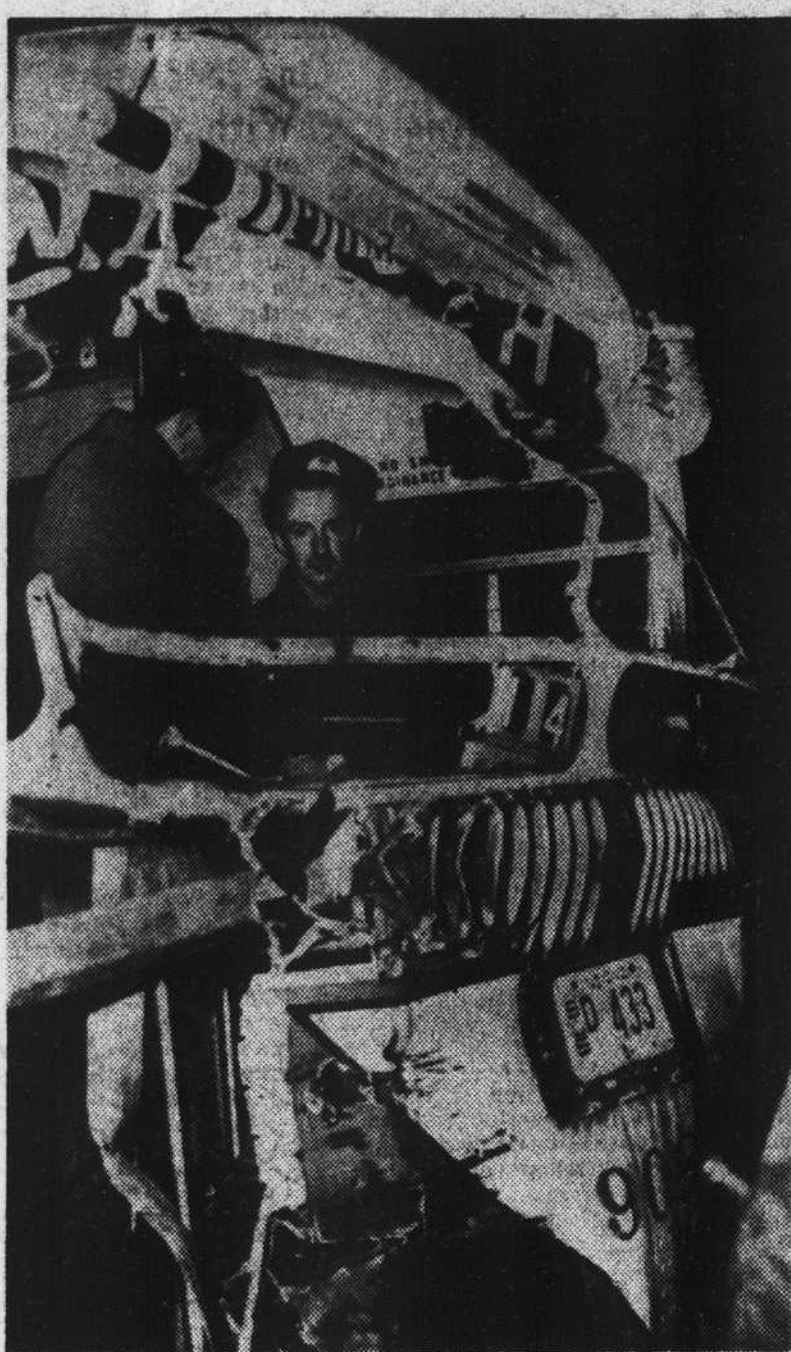
Mr. Lane said he has two affidavits saying Chambers did not have a maid at that time.

Couldn't Cross-Examine.

Hiss' attorney said Miss Murray had been used as a Government witness on the last day of the trial.

Thus, he added, "the defense had no way of preparing to test her truthfulness or the accuracy of her recollection by cross-examination."

Hiss was convicted on January 25, 1950. The United States Court of Appeals affirmed the conviction, and the Supreme Court decided not to review the case.



CLOSE CALL—Indianapolis.—Hazel Jeffries, a city bus driver, sits dazed at the wheel of the vehicle as a reporter attempts to question him after a New York Central passenger train struck the front end of the bus yesterday. Three passengers suffered slight injuries and 10 others were shaken up. —AP Wirephoto.

Senate Passes Bill For Corrective Aid to Young Offenders Here

Youthful offenders, under 22, could be given corrective, rehabilitation treatment here, under a Senate-passed bill now on its way to the House.

The measure would extend the Federal Youth Corrections Act to the District.

Also passed yesterday and sent to the House was a bill to give official weight in court to scientific tests of persons accused of driving while drunk. Such tests would be voluntary on the part of the accused, but the test results could be used by courts without the necessity of personal expert medical testimony.

Backed by Three Groups.

The drivers' bill had been recommended by the American Automobile Association, National Safety Council, the National Temperance League and the medical profession. It is designed to aid in clearing the innocent, as well as in convicting the guilty.

The Youth Corrections Bill, introduced by Chairman McCarran of the Senate Judiciary Committee at the request of Chief Judge Bolitha J. Laws, of District Court, was explained on the Senate floor yesterday by Senator Kilgore, Democrat, of West Virginia.

He said that, in cases of youthful offenders, the measure simply would allow Federal District judges here "to adopt the same system authorized for Federal courts in the States."

Chance to Learn Trade.

The Youth Corrections Division in the Justice Department would be authorized, if an offender is assigned to it, to give the youth vocational training, a rehabilitation course, or other treatment in a Federal institution where he might learn a trade.

The District originally had been

excluded from the Youth Corrections Act because of complications about finances, but agreement was reached on all matters, and no objections to the measure now appear to be coming from any sources.

Malaria Drug Found Effective on Tapeworm

CHICAGO, Jan. 25.—A new malaria fever drug has been found to be effective treatment against tapeworm, two Tulane University doctors reported today.

Drs. William A. Sodeman and Rodney C. Jung tried the drug, quinine hydrochloride, on 11 patients. It was effective on 10 patients on the first trial and on the 11th on the second.

"The drug—used in World War II as an anti-malarial agent—penetrates the wall of the small intestine where the parasite is found."

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McCloy Foresees New Role For U. S. Troops in Germany

By the Associated Press

FRANKFURT, Germany, Jan. 25.—United States High Commissioner John J. McCloy said yesterday Americans in Germany "can no longer think of themselves as occupiers."

In an interview with the Army newspaper Stars and Stripes, Mr. McCloy said a new relationship is developing between Americans and Germans as the end of the occupation status approaches.

"The American troops in Germany will be here as defense troops," he said, "in the same fundamental role they have in the United States. They will be engaged in a joint venture—in a joint partnership—with the Germans, the defense of the free world."

The high commissioner emphasized the Americans must show "the same scrupulous consideration of civilian interest and sensibilities as American soldiers are accustomed to display at home."

584 killed accidentally in 1943.

Mother, Daughter Get Simultaneous Divorces

By the Associated Press

LOS ANGELES, Jan. 25.—Her stepfather sang all night long and the family couldn't sleep, Dorcelia Ackman, 17, testified yesterday in helping her mother obtain a divorce.

Then the pretty teen-ager remained on the stand to testify that her own husband, Glenn A. Ackman, 19, "said he was sorry he married me and hit me, and tied me up, and locked the doors, and took away the keys."

Both divorces were granted. The mother, Martha Doak Dearsom, 38, charged her husband of two weeks, William Dearsom, 43, drank beer in bed and refused to eat with her and the children.

Baltimore Fatalities Drop

BALTIMORE, Jan. 25 (AP)—The Safety Council's annual report showed today that Baltimore went through 1951 with the least number of fatal accidents the last 22 years.

Last year's total of 350 accidental deaths was 12 under the 1950 figure and 234 under the 1943 figure.

Judge Is Too Fat For Clothes, Gives Outfit to Litigant

By the Associated Press

A Clarksburg (Md.) carpenter's helper has a new outfit of clothes today because Trial Magistrate Walter H. Moorman admits he is "getting too fat" for his.

Benjamin R. Cooley, 45, signed a consent order yesterday in Rockville Police Court and was ordered to pay \$22.50 a week to support his wife and 3-year-old son.

When Mr. Cooley asked what his wife expected to do with the money, Judge Moorman replied it would go for food, rent and new clothes.

Mr. Cooley's remark that he could use some new clothes himself brought an invitation from Judge Moorman to come "out to my house tonight and I'll fix you up."

"It just happens I have some clothes which don't fit anymore," Judge Moorman said. "I'm getting too fat for them, I guess."

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